

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RONALD LYNN WADSWORTH,
Plaintiff,

v.

JOHN HOCK and MATTHEW MORISAK,
Defendants.

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CIVIL ACTION NO.
3:10-CV-00220-O-BF

**ORDER ACCEPTING THE FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Paul D. Stickney (ECF No. 22). The District Court reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

Defendants' Motion to Dismiss is denied. Defendants' Motion to Abate Discovery is granted except to the limited extent necessary to discover facts related to the qualified immunity claim. Plaintiff shall file, within thirty days, a Rule 7(a) Reply which sets forth detailed facts regarding what Plaintiff alleges each Defendant did which violated Plaintiff's clearly established rights of which a reasonable officer would have known.

Pursuant to this Order, the Scheduling Order (ECF No. 24) is amended in consideration of the Motion to Abate Discovery, as follows:

Deadline for Joinder of Parties or Amendment of Pleadings (¶ 2)	January 21, 2011
Initial Expert Designation & Report (¶ 4 a.)	May 5, 2011
Responsive Expert Designation & Report (¶ 4 b.)	June 3, 2011
Rebuttal Expert Designation (¶ 4 c.)	30 days after disclosure made by other party
Deadline for Expert Objections (¶ 4 d.)	November 28, 2011

Deadline for Dispositive Motions (¶ 3)	September 2, 2011
Deadline for Mediation (¶ 5)	July 5, 2011
Deadline for Completion of Discovery (¶ 6)	March 1, 2011 (qualified immunity discovery) August 24, 2011 (all discovery)
Deadline for Pretrial Disclosures and Objections (¶ 7)	November 22, 2011, Objections due 14 days thereafter
Deadline for Pretrial Materials (pretrial order etc.) (¶ 8)	December 12, 2011
Exchange of Exhibits (¶ 9)	December 19, 2011
Pretrial Conference (¶ 11)	To be set if necessary.
Trial Date (¶ 1)	January 3, 2012

6. **Completion of Discovery:** By **August 24, 2011**, all **discovery** – including discovery concerning expert witnesses – shall be completed. However, prior to **March 1, 2011**, discovery shall be expressly limited to qualified immunity issues. The motion for summary judgment on qualified immunity shall be filed on or before **March 1, 2011**. Once the Court has ruled upon the motion for summary judgment on qualified immunity, the parties may resume discovery on all issues. The parties may agree to extend this discovery deadline, provided (a.) the extension **does not affect** the trial setting, dispositive motions deadline, challenges to experts deadline, or pretrial submission dates; and (b.) **written notice** of the extension is given to the Court.

SO ORDERED, this **23rd** day of **November, 2010**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE